

IN THE CLAIMS

1-33 (canceled)

Please add the following new claims 34-55:

34. (new) A risk based method of debiting a deposit account associated with a payer, in connection with a request to make a payment, comprising:

a payment service provider receiving a request to make a payment to a payee on behalf of a payer;

the payment service provider determining a risk associated with making the requested payment on behalf of the payer in accordance with the received payment request;

the payment service provider selecting a form for debiting a deposit account associated with the payer based on the determined risk; and

the payment service provider generating an instruction to debit the payer's deposit account in accordance with the selected form for debiting.

35. (new) The method of claim 34, wherein:

the received request includes an associated payment amount; and

the risk is determined based on the associated payment amount.

36. (new) The method of claim 35, further comprising:

the payment service provider comparing a comparison amount which corresponds to the associated payment amount, to at least one threshold amount;

wherein the risk is determined based on the result of the comparison.

37. (new) The method of claim 36, wherein:

the at least one threshold amount includes one or more of (i) a threshold amount associated with the payment service provider, (ii) an individual transaction threshold amount associated with the payee, (iii) an individual transaction threshold amount associated with the payer, and (iv) a cumulative transaction threshold amount for a time period associated with the payer.

38. (new) The method of claim 37, wherein the at least one threshold amount includes the cumulative transaction threshold amount, and further comprising:

the payment service provider computing a sum of the associated payment amount and an aggregated amount of payments previously made on behalf of the payer within the time period;

wherein the comparison amount is the computed sum and the comparison amount is compared to the at least one threshold amount by comparing the computed sum to the cumulative transaction threshold amount.

39. (new) The method of claim 38, wherein the payments previously made within the time period are associated with debits which have been previously made from the payer's deposit account via the ACH network.

40. (new) The method of claim 37, further comprising:

the payment service provider determining at least one of the individual transaction threshold amount associated with the payer and the cumulative transaction threshold amount, based upon a credit report associated with the payer.

41. (new) The method of claim 37, wherein:

the payee is one of a plurality of payees; and

the individual transaction threshold amount associated with the payee is determined by the payment service provider based, at least in part, on an identity of the payee.

42. (new) The method of claim 34, wherein:

the form of debiting is selected from a group including a first form of debiting and a second form of debiting.

43. (new) The method of claim 34, wherein the generated instruction is a first instruction, and further comprising:

the payment service provider generating a second instruction to pay the payee.

44. (new) The method of claim 34, further comprising:

the payment service provider receiving other information;
wherein the risk associated with making the requested payment on behalf of the payer is determined based on the received other information..

45. (new) The method of claim 44, wherein:

the received other information includes information associated with at least one of the payer and the payee.

46. (new) The method of claim 44, further comprising:

the payment service provider assigning a status to the payer, based on the received other information and prior to receiving the request;
wherein the risk determined based on the received other information is a risk determined based on the status assigned to the payer.

47. (new) A system for risk based debiting of a deposit account associated with a payer, in connection with a request to make a payment, comprising:

a payment service provider interface to a public communications network for receiving a request to make a payment to a payee on behalf of a payer; and
a payment service provider processor configured (i) to determine a risk associated with making the requested payment on behalf of the payer in accordance with the received payment request, (ii) to select a form for debiting a deposit account associated with the payer based on the determined risk, and (iii) to generate an instruction to debit the payer's deposit account in accordance with the selected form for debiting.

48. (new) The system of claim 47, wherein:

the received request includes an associated payment amount; and
the payment service provider processor is further configured to determine

the risk based on the associated payment amount.

49. (new) The system of claim 48, wherein the payment service provider processor is further configured to compare a comparison amount which corresponds to the associated payment amount, to at least one threshold amount and to determine the risk based on the result of the comparison.

50. (new) The system of claim 49, wherein:

- the at least one threshold amount includes a cumulative transaction threshold amount for a time period associated with the payer; and
- the payment service provider processor is further configured to compute a sum of the associated payment amount and an aggregated amount of payments previously made on behalf of the payer within the time period; and
- the comparison amount is compared to the at least one threshold amount by comparing the computed sum with the cumulative transaction threshold amount.

51. (new) The system of claim 49, wherein:

- the payee is one of a plurality of payees;
- the at least one threshold amount includes an individual transaction threshold amount associated with the payee; and
- the payment service provider processor is further configured to determine the individual transaction threshold amount associated with the payee based, at least in part, on an identity of the payee.

52. (new) The system of claim 47, wherein:

the payment service provider processor is further configured to select the form of debiting from a group including a first form of debiting and a second form of debiting.

53. (new) The system of claim 47, wherein:

the generated instruction is a first instruction; and

the payment service provider processor is further configured to generate a second instruction to pay the payee.

54. (new) The system of claim 47, wherein:

the payment service provider processor is further configured to receive other information; and

the risk associated with making the requested payment on behalf of the payer is determined based on the received other information..

55. (new) The system of claim 54, wherein:

the payment service provider processor is further configured to assign a status to the payer based on the received other information and prior to receiving the request; and

the risk determined based on the received other information is a risk determined based on the status assigned to the payer.